

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

United States of America,

Plaintiff,

Case No. 21-cr-20322

v.

Hon. Laurie J. Michelson

Thomas Jeffrey Swanson,

Defendant.

**Stipulation and Order to Continue the
Plea Cut-off, the Final Pretrial Conference and
Trial Dates and Find Excludable Delay**

The parties, by their respective counsel, stipulate that the plea hearing, final pretrial conference, and trial dates be adjourned for 30 days. The parties are finalizing negotiations to resolve this matter without a trial. The adjournment will therefore allow the defendant's counsel time to review the proposed plea agreement, which counsel believes will require a significant time period, and also to prepare for trial if negotiations fail. The parties agree that such an adjournment serves the ends of justice and outweighs the best interest of the public and the defendant in a speedy trial because both parties need more time to engage in plea discussions which could resolve all the issues in this case. The parties agree, and ask the court to find, that the amount of time between the current plea cutoff date of December 15, 2022 and

the new trial date set by the Court shall be excluded, under 18 U.S.C. § 3161(h)(7)(A), from calculating the amount of time in which the defendant must be tried under the Speedy Trial Act.

IT IS SO STIPULATED.

Respectfully submitted,

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Dated: December 14, 2022

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EASTERN DISTRICT OF MICHIGAN
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United States of America,

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Defendant.

**Order to Continue the
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Trial Date and Find Excludable Delay**

The Court has considered the parties' stipulation and joint motion to continue the trial, the final pretrial conference, and the plea cut-off date for approximately 30 days and for a finding that the time period from the trial date of January 3, 2023 and February 14, 2023, qualifies as excludable delay under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7). For the reasons described in the parties' submission, and after considering the factors listed in § 3161(h)(7)(B), the Court finds that the ends of justice served by granting the parties' requested continuance outweigh the best interests of the public and the defendant in a speedy trial and that the time from January 3, 2023 to the new trial date set by the Court qualifies as excludable delay under § 3161(h)(7).

IT IS THEREFORE ORDERED that the dates in this matter are reset as follows:

Plea Hearing/Final Pretrial Conference is reset for January 17, 2023 at 1:30 p.m.;

Jury Trial is reset for February 14, 2023 at 8:30 a.m..

IT IS FURTHER ORDERED that the time from January 3, 2023 and February 14, 2023 shall constitute excludable delay under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7), because the Court finds that the ends of justice served by the granting of the continuance outweigh the best interests of the public and the defendant in a speedy trial.

IT IS SO ORDERED.

Dated: December 14, 2022

s/Laurie J. Michelson
LAURIE J. MICHELSON
UNITED STATES DISTRICT JUDGE